

Message Text

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TO GOVNR OF AMERICAN SAMOA PAGO PAGO

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SUBJECT: ADVISORY GROUP MEETING

DOTA NO. 13134-AS

GOVERNOR BARNETT PLEASE PASS TO PRESIDENT OF SENATE,
SPEAKER OF HOUSE & OTHER APPROPRIATE PERSONS

FOLLOWING IS TEXT OF OUTLINE FOR MEETING OF ADVISORY GROUP
IN AMERICAN SAMOA NOVEMBER 10, 1976:

1. HISTORY AND BACKGROUND:

FOR THE PAST SEVEN YEARS, THE SUBJECT OF AN ELECTED
GOVERNOR FOR AMERICAN SAMOA HAS BEEN DISCUSSED AT GREAT
LENGTH BY THE SAMOAN PEOPLE, DEPARTMENT OF INTERIOR
OFFICIALS AND MEMBERS OF CONGRESSIONAL COMMITTEES HAVING
OVERSIGHT RESPONSIBILITIES IN THE TERRITORY. ONE OF THE
CONCERNS WAS TO DETERMINE WHETHER THE SAMOAN PEOPLE DESIRE
TO ELECT THEIR OWN GOVERNOR. FOR A RESOLUTION OF THIS
QUESTION, THE SECRETARY OF THE INTERIOR ISSUED A LETTER OF
MAY 26, 1976, WITH INSTRUCTIONS TO GOVERNOR EARL RUTH TO
PREPARE THE PEOPLE OF AMERICAN SAMOA TO HOLD A PLEBISCITE
ON AUGUST 31, 1976. FURTHERMORE, THE SECRETARY STATED THAT
IN THE EVENT OF A FAVORABLE VOTE BY THE PEOPLE, HE WOULD
THEN INITIATE OFFICIAL PROCEDURES TO CARRY OUT THE EX-
PRESSED DESIRE OF THE SAMOAN PEOPLE. ACCORDINGLY, THE
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PLEBISCITE WAS HELD AND THE ELECTORATE VOTED BY A

MAJORITY OF ALMOST 70 IN FAVOR OF ELECTING THEIR OWN GOVERNOR.

IN ACCORDANCE WITH HIS COMMITMENT OF MAY 26, 1976, AND ON THE BASIS OF DISCUSSIONS WITH REPRESENTATIVES OF THE FONO FOLLOWING THE PLEEISCITE, THE SECRETARY OF THE INTERIOR HAS FORMULATED AN ADVISORY GROUP TO MAKE A REPORT THAT WILL ASSIST IN PROVIDING THE EASIS UNDER WHICH A GOVERNOR AND LIEUTENANT GOVERNOR WILL BE ELECTED AND SERVE IN AMERICAN SAMOA.

IT IS THE INTENTION OF THE SECRETARY OF THE INTERIOR THAT THE FIRST GUBERNATORIAL ELECTION IN AMERICAN SAMOA BE HELD NO LATER THAN NOVEMBER, 1977, OR SOONER IF POSSIBLE.

II. MEMBERSHIP OF THE ADVISORY GROUP:

DEPT. OF THE INTERIOR	3	REPRESENTATIVES
GOVERNOR, AMERICAN SAMOA	1	"
ATTORNEY GENERAL, AMERICAN SAMOA	1	"
THE FONO	4	"
SECRETARY OF SAMOAN AFFAIR;	1	"
DELEGATE-AT-LARGE	1	"
SECRETARY OF SAMOAN AFFAIRS	1	"
DESIGNATE		

III. TIME, PLACE AND NUMEER OF MEETINGS:

- A. ALL MEETINGS WILL BE HELD IN AMERICAN SAMOA.
- B. MEETINGS SHOULD BE AS FEW AS POSSIBLE WITH MAXIMUM NUMBER OF THREE.
- C. INITIAL MEETING SHALL BE HELD NOVEMBER 10, 1976; ADDITIONAL MEETINGS, IF NEEDED, TO BE SET BY THE SECRETARY IN JANUARY AND FEBRUARY, 1977.

IV. METHOD OF REPORTING:

WHEN AGREEMENT IS REACHED, A REPORT IS MADE TO THE SECRETARY OF THE INTERIOR. WHEN VIEWS ARE DIVIDED, THIS WILL BE REPORTED TO THE SECRETARY WITH WRITTEN OPINIONS OF ALL FACTIONS. THE REPORT OF THE ADVISORY GROUP SHOULD BE SUBMITTED TO THE SECRETARY N O LATER THAN MARCH 1,1977.

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V. PROCEDURE FOR FINAL ACTION BY THE SECRETARY:

- STEP 1: THE ADVISORY GROUP WILL MAKE A REPORT TO THE SECRETARY.
- STEP 2: THE SECRETARY WILL REVIEW THE REPORT OF THE ADVISORY GROUP, ALONG WITH OTHERS.
- STEP 3: FOLLOWING CONSULTATIONS WITH THE SENATE AND HOUSE COMMITTEES, THE SECRETARY OF INTERIOR

WILL THEN TAKE APPROPRIATE ACTION.

VI. ITEMS FOR CONSIDERATION BY THE ADVISORY GROUP:

A. DECISIONS THAT REQUIRE MAXIMUM LOCAL INPUT:

TO THE EXTENT THAT THE PROCEDURES FOR ELECTING A GOVERNOR AND LIEUTENANT GOVERNOR FOR AMERICAN SAMOA ARE PRIMARILY ISSUES HAVING LOCAL IMPACT, THE SECRETARY SHALL GIVE MAXIMUM CONSIDERATION TO THE ADVISORY GROUP'S REPORT CONCERNING THE FOLLOWING:

1. QUALIFICATIONS OF CANDIDATES.
2. NOMINATION PROCEDURES.
3. ELECTION PROCEDURES (CONDUCT OF ELECTION).
4. TERM OF OFFICE.
5. LINE OF SUCCESSION.
6. RIGHT OF SUCCESSION.
7. RECALL PROCEDURE.
8. SALARY.
9. APPOINTIVE POWERS OF GOVERNOR.

B. DECISIONS THAT REQUIRE MAXIMUM FEDERAL INPUT:

BECAUSE THE ULTIMATE AUTHORITY OF THE U.S. CONGRESS FOR THE CIVIL ADMINISTRATION OF AMERICAN SAMOA IS VESTED IN THE SECRETARY OF THE INTERIOR BY MESNE DELEGATIONS, THE SECRETARY CANNOT DELEGATE AWAY HIS ULTIMATE RESPONSIBILITY TO THE CONGRESS. THUS, THE ELECTED GOVERNOR OF AMERICAN SAMOA WILL BE UNDER THE AUTHORITY OF THE SECRETARY, AT LEAST INsofar AS IT IS NECESSARY TO ASSURE THAT THE AUTHORITY OF THE SECRETARY IS SUFFICIENTLY INTACT SO THAT HE CAN BE MORE RESPONSIBLE TO CONGRESS, PARTICULARLY WITH RESPECT TO FISCAL AND LEGAL ISSUES. BECAUSE OF THIS RESPONSIBILITY OF THE SECRETARY TO THE CONGRESS; IT IS UNCLASSIFIED

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NECESSARY THAT THE FOLLOWING ISSUES FOR DISCUSSION WILL ULTIMATELY REQUIRE MAXIMUM FEDERAL INPUT, IN CONJUNCTION WITH THE ADVISORY GROUP'S REPORT WHICH WILL ALSO BE CONSIDERED BY THE SECRETARY:

1. FINANCIAL OVERSIGHT
 2. GENERAL OVERSIGHT IN THE AREAS OF
 - LEGISLATION
 - TAX EXEMPTIONS
 - CONTRACTS AND AGREEMENTS
 - LEASES.
- END OF TEXT.

WE ASK SAMOAN MEMBERSHIP OF ADVISORY GROUP TO ADDRESS THEMSELVES PARTICULARLY TO THE ITEMS CONTAINED IN

SECTION VI-A; 1 THROUGH 9. DOTA SENDS
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